

RECEIVED
STATE AUDITORS
OFFICE
HELENA, MONTANA

2009 MAR 30 P 2:31

NANCY SWEENEY
CLERK DISTRICT COURT

2009 MAR 25 AM 8:26

FILED
194 *Garnie P. Sweeney*
Deputy

IN THE FIRST JUDICIAL DISTRICT COURT FOR THE STATE OF MONTANA
LEWIS AND CLARK COUNTY

IN THE FIRST JUDICIAL DISTRICT COURT FOR THE STATE OF MONTANA
LEWIS AND CLARK COUNTY

STATE AUDITOR, EX OFFICIO SECURITIES)
COMMISSIONER FOR THE MONTANA,)
Petitioner,)

vs.)

KEITH KOVICK, individually and in his capacity)
as agent for the named respondent companies;)
ROBERT CONGDON, individually and in his)
capacity as agent for the named respondent)
companies; DAN WOLSKY, individually and in)
his capacity as agent for the named respondent)
companies; DAN KLEMANN, individually and in)
his capacity as agent for the named respondent)
companies;)

CORNERSTONE FINANCIAL CORPORATION)
13 2nd Ave, Polson, MT, 59860)

D & D MANAGEMENT and PROPERTY)
DEVELOPMENT, INC.)
466 Misty Vale Lane, Corvallis, MT 59828)

Respondents.)

Cause No. CDV-2009-157

ORDER TO VACATE AND RESET
HEARING AND TO AMEND TRO

The Court, having considered the UNCONTESTED Motions filed by the Montana State Auditor, acting in her capacity as Securities Commissioner (hereafter "Commissioner"), and finding good cause therefore, hereby issues the following:

ORDER

Respondents Keith Kovick, Robert Congdon, Dan Wolsky, Dan Klemann, D & D Management and Property Development, Inc., and Cornerstone Financial Corporation are temporarily restrained from conducting securities business in or from Montana. Additionally, Respondents are temporarily restrained from transferring, encumbering or otherwise disposing of any assets they own individually or any interest they own in any assets located in Montana without the prior approval of the Commissioner, which approval shall not be unreasonably delayed or conditioned. Respondents are further temporarily restrained from contacting the alleged investors during the term of this injunction. This Restraining Order shall not restrict or prevent the individual Respondents from paying their personal expenses in the ordinary course of living. However, any unusual expenditure or individual expenditure in excess of \$2,500 shall be prohibited by this Order unless approved by the Commissioner in writing.

The Respondents may seek a release of assets from the order by motion to the Court, which release shall not be unreasonably delayed or conditioned.

The hearing of this matter currently set for March 24, 2009, at 9:00 am, is VACATED and RESET for a Show Cause hearing on the 8 day of June, 2009 at 9:00 o'clock am pm at the Lewis and Clark County Courthouse, 228 Broadway, Helena, Montana.

SO ORDERED this 24th day of March, 2009.

M. Kathy Seely
DISTRICT COURT JUDGE